

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4/4/03.

I. DISPUTE

Whether there should be additional reimbursement for 97545-WC and 97546-WC, dated 5/22/02 and reduced per the Medical Fee Guideline. The EOB submitted by the requestor reflects a denial for lack of preauthorization. However, the Table of Disputed Services indicates partial payment was made by the carrier. On this basis, the service is considered reduced per the Fee Guideline and will be reviewed on that basis.

II. RATIONALE

The Commission's 1996 Medical Fee Guideline , Medicine Ground Rules, (II)(C) states, "If the interdisciplinary program is not accredited, then the hourly reimbursement for the program shall be reduced 20%....This ground rule applies to the interdisciplinary programs which are Work Hardening, Outpatient Medical Rehabilitation, and Chronic Pain Management."

The Commission's 1996 Medical Fee Guideline , Medicine Ground Rules, (II)(D) states, "Work conditioning: A highly structure, goal oriented, individualized treatment program using real or simulator work activities in conjunction with conditioning tasks. Work Conditioning is a single disciplinary approach...", therefore, these ground rules do not apply.

Per MFG, MGR (II)(D)(4) "Reimbursement for work conditioning shall be \$36.00 per hour."

The requestor is due 100% of the amount billed. An additional \$36.00 is recommended.

III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for 97545-WC and 97546-WC in the amount of **\$36.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$36.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 13th day of September, 2004.

Noel L. Beavers
Medical Dispute Resolution Officer
Medical Review Division